

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SCOTT HANSON,

Plaintiff,

vs.

MUTUAL OF OMAHA INSURANCE
COMPANY,

Defendant.

Case No. 8:20 cv 12

NOTICE OF REMOVAL
OF CIVIL ACTION

COMES NOW Defendant Mutual of Omaha Insurance Company (“Mutual of Omaha”), by and through its undersigned attorneys, and pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, submits this Notice of Removal of Civil Action (“Notice”), thereby removing this case to the United States District Court for the District of Nebraska. In support of this Notice, Mutual of Omaha states as follows:

TIMELINESS OF REMOVAL

1. Mutual of Omaha has been named as a defendant in a civil action filed on December 12, 2019 in the District Court of Douglas County, Nebraska, entitled *Scott Hanson v. Mutual of Omaha Insurance Company*, Case No. CI 19-9660. True and correct copies of the Summons and Complaint in this action are attached to this Notice as [Exhibit 1](#). [See Doc. No. 1, [Ex. 1](#)].

2. Plaintiff served Mutual of Omaha with a Summons and the Complaint on or about December 16, 2019.

3. This Notice, filed within thirty days of Mutual of Omaha’s receipt of the Summons and Complaint, is timely under 28 U.S.C. § 1446(b).

BASIS FOR JURISDICTION

4. This Court has original jurisdiction over this action under the provisions of 28 U.S.C. § 1331 in that Plaintiff’s action alleges claims arising under federal law,

specifically the federal Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq. [See Doc No. 1, [Ex. 1](#), ¶¶ 1, 25, 28].

5. This Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a), over all other claims alleged by Plaintiff that are based on state law.

6. Written notice of the filing of this Notice will be given to Plaintiff promptly after the filing of this Notice, as is required by law.

7. A true and correct copy of this Notice will be filed with the Clerk of the District Court of Douglas County, Nebraska, as is required by law.

8. By filing this Notice, Mutual of Omaha consents to removal of this action to the United States District Court for the District of Nebraska.

9. By filing this Notice, Mutual of Omaha does not waive any defenses and/or affirmative claims, counterclaims, or third-party claims that may be available to Mutual of Omaha.

WHEREFORE, Defendant Mutual of Omaha Insurance Company hereby removes the above-captioned case from the District Court of Douglas County, Nebraska, to the United States District Court for this District of Nebraska.

Dated January 8, 2020.

MUTUAL OF OMAHA INSURANCE
COMPANY, Defendant.

By: s/ Tara A. Stingley
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CERTIFICATE OF SERVICE

I, Tara A. Stingley, hereby certify that on January 8, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Kathleen Neary
kathleen@vpowerslaw.com

s/ Tara A. Stingley

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